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CrI.O.P.No.16778 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.07.2023

CORAM

THE HONOURABLE MR. JUSTICE N. ANAND VENKATESH

CrI.O.P.No.16778 of 2023

1. Feroz,
S/o.Abdul Wahab
2. Arifa Wahab,
W/o.Abdul Wahab
3. Abdul Wahab,
S/o. Waheed
4. Afroz Banu,
W/o.S.Syed Rafick
5. S.Syed Rafick,
S/o.Syed Mubarak Jan,
6. Farook,
S/o.T.S.M.Abubacker
7. Nazria Shaikh,
W/o.Feroz

... Petitioners

vs.

1. State rep. by
Inspector of Police,
W-35, All Women Police Station,
Tambaram, Chennai – 45.
(Cr.No.85 of 2014)



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2. Asma

W/o.Feroz

... Respondents

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PRAYER: Criminal Original Petition filed under Section 482 of the Code of Criminal Procedure, to call for the records and quash the charges in C.C.No.277 of 2015 against the petitioners/accused pending on the file of the learned Judicial Magistrate's Court – I at Tambaram.

For Petitioners : Mr.K.Elango

For Respondents : Mr.A.Gopinath
Government Advocate [CrI.Side] [R1]

Ms.C.Shyamala [R2]

ORDER

This Criminal Original Petition has been filed seeking to quash the proceedings in C.C.No.277/2015 pending on the file of Judicial Magistrate Court – I, Tambaram.

2. The case is still at the stage of trial. By passage of time, the parties have decided to bury their hatchet and compromise the dispute amicably among themselves.



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3. A compromise affidavit has been filed by both the parties before this Court. The petitioners and the second respondent were also present in person before this Court and they were identified by Ms.B.Rathika, Women Head Constable, All Women Police Station, Selaiyur. In the affidavit it has been stated that the petitioners and the second respondent have entered into a compromise and amicably settled their issues in C.C.No.277 of 2015 pending on the file of Judicial Magistrate Court – I, Tambaram. This Court also enquired both the parties and was satisfied that the parties have come to an amicable settlement between themselves.

4. Under such circumstances, no useful purpose will be served in keeping the case pending, even though, the offences involved are not compoundable in nature. In the light of the guidelines given by the Hon'ble Supreme Court reported in **2017 9 SCC 641-(Parbathbhai Aahir @ Parbathbhai Vs. State of Gujrat)** and after exercising due caution as advised by the Hon'ble Supreme Court in **The State of Madhya Pradesh v. Dhruv Gurjar and Another** reported in **(2019) 2 MLJ CrI 10**, this Court in exercise of its jurisdiction under Section 482 Cr.P.C. quashes the case in C.C.No.277 of 2015 pending on the file of Judicial Magistrate Court – I, Tambaram.



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This Criminal Original Petition stands allowed and as a sequel, the proceedings in C.C.No.277 of 2015 pending on the file of Judicial Magistrate Court – I, Tambaram is quashed and the terms of affidavit shall form part and parcel of this order.

27.07.2023

Index : Yes/No
Speaking Order/Non-Speaking Order
Neutral citation : Yes/No
mp/mkn

To

1. The Judicial Magistrate Court – I,
Tambaram.
2. The Inspector of Police,
W-35, All Women Police Station,
Tambaram, Chennai – 45.
3. The Public Prosecutor,
High Court of Madras,
Madras.



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N. ANAND VENKATESH., J

mp/mkn

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